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Attorneys for Defendant

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID HO, on behalf of himself and all
 others similarly situated and on behalf of the
 general public and DOES #1-20

Plaintiff,

v.

ERNST & YOUNG, LLP

Defendants.

Case No. C 05 04867 (JF)

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING DATES ON
 MOTION FOR SUMMARY JUDGMENT
 AS TO SARAH FERNANDEZ**

Hon. Jeremy Fogel

Stipulation and [Proposed] Order Continuing Dates for Motion for Summary Judgment as to Sarah Fernandez Case No. C 05 04867 (JF)

WHEREAS Defendant in the above-captioned action has filed a motion for summary judgment against Plaintiff Sarah Fernandez, which is presently scheduled for hearing on May 16, 2008; and

WHEREAS Plaintiff's counsel is in the process of pursuing discovery necessary for Plaintiff's response to that motion; and

WHEREAS Plaintiff's counsel will, due to their observance of the Jewish holiday of Passover, be unavailable for part of the time period during which it will be necessary to prepare an opposition to the motion for summary judgment; and

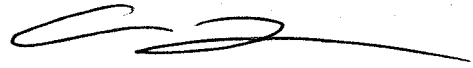
WHEREAS Plaintiff's counsel will further be unavailable during other portions of that period because of conflicts with other litigation that is scheduled for trial; and

WHEREAS the parties believe that an extension of time is warranted in order to permit Plaintiff to complete discovery and to have adequate time to prepare an opposition to the motion,

IT IS HEREBY STIPULATED by and between the parties hereto through their respective undersigned counsel that:

1. The hearing on Defendant's Motion for Summary Judgment as to Sarah Fernandez shall be continued from May 16, 2008 until May 30, 2008; and
2. The deadline for the filing of Plaintiffs' opposition to the motion for summary judgment shall be May 16, 2008, and the deadline for the filing of Defendant's reply to the opposition shall be May 23, 2008.

Dated: Apr 17, 2008

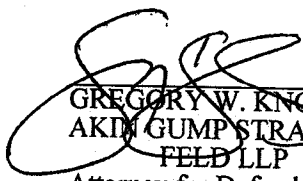

ARTHUR W. LAZEAR
Attorney for Plaintiffs

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Stipulation and [Proposed] Order Continuing Dates for Motion for Summary Judgment as to Sarah Fernandez Case No. C 05 04867 (JF)

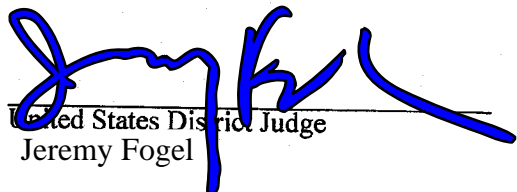
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3 Dated: April 8, 2008
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GREGORY W. KNOPP (SBN237615)
AKIN GUMP STRAUSS HAUSER &
FELD LLP
Attorney for Defendant

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9 ORDER

10 IT IS SO ORDERED.

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12 Dated: 4/10, 2008
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United States District Judge
Jeremy Fogel

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28 Stipulation and [Proposed] Order Continuing Dates for Motion for Summary Judgment as to Sarah Fernandez Case No.
C 05 04867 (JF)